

VZCZCXRO2795

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DE RUEHME #0675/01 0652337
ZNR UUUUU ZZH
R 062337Z MAR 09
FM AMEMBASSY MEXICO
TO RUEHC/SECSTATE WASHDC 5501
INFO RUEHXC/ALL US CONSULATES IN MEXICO COLLECTIVE
RUEHBS/USEU BRUSSELS
RUEHGV/USMISSION GENEVA 1068
RUCNDT/USMISSION USUN NEW YORK 0291

UNCLAS SECTION 01 OF 02 MEXICO 000675

SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: PGOV PREL PHUM MX

SUBJECT: THE INTERNATIONAL COMMUNITY RAISES CLAMOR OVER
CASE OF MURDERED HUMAN RIGHTS DEFENDERS

¶1. (SBU) Summary. Members of Mexico's indigenous community continue to find themselves the objects of abuses according to local and international human rights NGOs. Recently, these groups have focused on the February 2009 murder of two indigenous leaders in Ayutla, in the state of Guerrero, alleging local officials may bear responsibility. The Secretary of Government's (SEGOB) Director of Human Rights was familiar with the case but remarked that it was still premature for his office to engage on it. Meanwhile, CNDH has opened its own investigation into the case. Given Mexico's overarching impunity problem when it comes to crime in general -- not to mention when a member of the security forces are potentially implicated -- we have little reason to expect quick movement on this case. End Summary.

¶2. (U) On March 4 Peace Brigade International representative Michael Tamblyn met with PolCouns to convey his concern about the recent murder of two indigenous leaders, Raul Lucas Lucia and Manuel Ponce Rosas, president and secretary of the Organization for the Future of the Mixtec People (OFPM). Tamblyn reported that on February 13 both Lucas and Ponce were abducted from a public school opening event in Ayutla, Guerrero by three armed men, who identified themselves as policemen. On February 21, their bodies were discovered with signs of torture, on the outskirts of Ayutla by local authorities. While Tamblyn indicated he was not in a position to identify who was responsible or offer insight into an immediate motive, he noted that the local director of public security in Ayutla had recently made comments to PBI members that human rights groups were not welcome in the area. The Governor of Guerrero has announced that he will appoint a special group to investigate the Ayutla murders. However, the local community is calling on federal authorities to lead the investigation. Tamblyn maintained that, in general, as the military had increased its presence in the state of Guerrero, it had adopted heavy-handed practices that had served to intimidate the indigenous population and contributed to an increase in abuses. He also touched on the unresolved five-year old case of two indigenous women who were allegedly raped by soldiers as suggestive of the kinds of abuses security forces have proven themselves capable of in the past.

¶3. (U) According to Tamblyn, the Inter-American Commission on Human Rights, the United Nations High Commissioner for Refugees (UNHCR) and the Presidency of the European Union all published press releases on February 24 and 25 condemning these murders and urging the Mexican Government to investigate the case and bring the perpetrators to justice. Tamblyn insists that PBI and other organizations have drawn rapid and prominent attention to this case with the hope of prompting Mexican authorities to open a serious investigation before it goes cold.

¶4. (SBU) Poloff met with the Director of the Secretariat of

Governance's (SEGOB) office of Human Rights, Carlos Aguilar Suarez, to register our interest in this case. Suarez was familiar with the case but remarked that it was premature for his office to engage on it. He maintained that as a rule his office waited for local authorities to conduct their investigation first. If that investigation were to uncover evidence of military involvement, his office would look into the case. Separately, if Mexico's National Commission for Human Rights (CNDH) undertook its own investigation and recommended his office look into, he would engage.

¶5. (SBU) Typically state human rights commissions take the lead on investigating abuses in their own states. In this instance, however, Javier Montezuma, a Senior Advisor to the President of CNDH, told poloff March 6 that CNDH had decided to assume the lead on an investigation of this case given the importance it attached to potential abuse of human rights defenders. He offered no information regarding either where the investigation stood or when it might be completed.

Meanwhile, Reyna Torres, the Foreign Ministry's Deputy Director of the Human Rights Policy Office assured poloff that Mexico was committed to uphold its obligations to the IACHR and to that end had provided protection as requested to the wives of the victims.

¶6. (SBU) Comment. Impunity remains a major problem for Mexico's criminal justice -- even more so when members of the security forces are potentially implicated in abuses. Investigations into such cases are often unprofessional and influenced by local political considerations. As such, in the absence of a thorough and credible investigation, it is difficult to know with any degree of certainty whether, in

MEXICO 00000675 002 OF 002

this type of case, a member of the security forces is implicated or rather the individuals were killed in the context of dispute within their local communities. SEGOB has clearly signaled a reluctance of federal law enforcement authorities to engage on this particular case in the absence of a recommendation on the part of CNDH to do so. However, insofar as CNDH is conducting its own investigation into this matter, it is possible a recommendation could emerge calling on federal authorities to assume the lead. Of course, by then, much of the leads for such an investigation could well have dried up. End Comment.

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